

Practitioner's Docket No. 116700.1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Dennis S. Chrobak, James A. Chrobak

Application No.: 09/849,854

Group No.: 1733

Filed: May 4, 2001

Examiner: Johnstone, A.

For: Anisotropic homogeneous elastomeric close torus tire

JUN 03 2004
OFFICIAL

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 3, 2003, finally rejecting claims 24, 3-7, 22, and 23, 8-10.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on May 4, 2001.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity

\$165.00

CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)
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37 C.F.R. § 1.10*
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x facsimile transmitted to the Patent and Trademark Office, (703) 872 - 9306

Date: June 3, 2004

Signature

Michelle E. Huijser

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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Notice of Appeal fee due

\$165.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

Fee	\$210.00
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If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$165.00
Extension fee	\$210.00
TOTAL FEE DUE	\$375.00

5. FEE PAYMENT

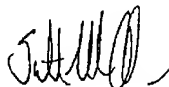
Authorization is hereby made to charge the amount of \$375.00 to Deposit Account No. 15-0450.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

~~A duplicate of this transmittal is attached.~~

6. FEE DEFICIENCY

If any additional extension and/or fee is required, charge Deposit Account No. 15-0450.



Signature of Practitioner

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